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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 BARRY LEE BROOKINS,
12 Plaintiff,
13 v.
14 L. MARTINEZ, et al.,
15 Defendants.
16

Case No. 1:24-cv-01158 JLT SAB (PC)

ORDER DIRECTING PLAINTIFF TO PAY
\$405.00 FILING FEE WITHIN 14 DAYS

17 Previously, the Court found Plaintiff is subject to the three strikes bar under 28 U.S.C. §
18 1915(g) and directed Plaintiff pay the fee within 21 days. (Docs. 5, 7.) In response, Plaintiff filed
19 a motion regarding his objections and seeking clarification on the Court's order. (Doc. 8.) The
20 Court construed the request as a motion for reconsideration, denied the motion, and directed him
21 to pay the \$405.00 filing fee within 14 days. (Doc. 9.) Plaintiff then filed a notice of appeal to
22 the United States Court of Appeals for the Ninth Circuit. (Doc. 10.) On February 29, 2025, the
23 Ninth Circuit dismissed Plaintiff's appeal. (Doc. 15.) The mandate became effective 21 days
24 thereafter, on March 12, 2025. (*Id.* at 1.) Thus, the Court **ORDERS**:

- 25 1. Within 14 days following the date of service of this order, Plaintiff **SHALL** pay
26 the \$405.00 filing fee in full to proceed with this action.

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- 1 2. **Failure to pay the filing fee in full will result in dismissal without prejudice**
2 **for failure to comply with the Court's order.**

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4 IT IS SO ORDERED.

5 Dated: **March 14, 2025**


UNITED STATES DISTRICT JUDGE